

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

OPENWAVE SYSTEMS INC.,

No. C 10-02805 WHA

Plaintiff,

v.

**ORDER RESCHEDULING
PRETRIAL CONFERENCE**

MYRIAD FRANCE S.A.S.,

Defendant.

AND RELATED COUNTERCLAIMS

The final pretrial conference set for August 22, 2011, is hereby rescheduled to **2:00 P.M. ON AUGUST 15, 2011**. The bench trial remains set to begin on August 29, 2011.


The final pretrial conference will be an important event, for it will be there that the shape of the upcoming trial will be determined, including *in limine* orders, time limits, and exhibit mechanics. Lead trial counsel must attend. Please consult the existing case management order and review and follow all standing guidelines and orders of the undersigned for civil cases on the Court's website at <http://www.cand.uscourts.gov>.

To avoid any misunderstanding with respect to the final pretrial conference and trial, the Court wishes to emphasize that all filings and appearances must be made — on pain of dismissal, default or other sanction — unless and until a dismissal fully resolving the case is received. It will not be enough to inform the clerk that a settlement in principle has been reached or to lodge a

1 partially executed settlement agreement or to lodge a fully executed agreement (or dismissal) that
2 resolves less than the entire case. Where, however, a fully-executed and unconditional settlement
3 agreement clearly and fully disposing of the entire case is lodged reasonably in advance of the
4 pretrial conference or trial and only a ministerial act remains, the Court will arrange a conference
5 to work out an alternate procedure pending a formal dismissal. Please state whether the Court can
6 be of further ADR assistance (but avoid stating offers, counteroffers, or dollar amounts).

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8 **IT IS SO ORDERED.**

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10 Dated: July 18, 2011.


11 WILLIAM ALSUP
12 UNITED STATES DISTRICT JUDGE
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